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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,569	04/18/2005	Tao Zhang	46843-216978 RK	1394
26694	7590	10/03/2008		
VENABLE LLP P.O. BOX 34385 WASHINGTON, DC 20043-9998			EXAMINER PACHURA, REBECCA L	
			ART UNIT	PAPER NUMBER
			2136	
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			10/03/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No. 10/531,569	Applicant(s) ZHANG ET AL.
Examiner Rebecca L. Pachura	Art Unit 2136

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 September 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

/Nasser G Moazzami/
Supervisory Patent Examiner, Art Unit 2136

Continuation of 11. does NOT place the application in condition for allowance because:
The 35 U.S.C. 102(e) rejection is maintained because:

Applicant argues:

Claim 1 authenticates the gatekeeper (MGC) to the gateway (MG). The Examiner erroneously aligns the gateway of Floryanzia with the gatekeeper (or MGC) of claim 1 and aligns the Gatekeeper of Floryanzia with the gateway (MG) of claim 1. In contrast, Floryanzia discloses authenticating the Gateway to the Gatekeeper. (Floryanzia column 3, line 56-58.) Floryanzia fails to disclose at least "determining by the MGC whether the MG is legal according to the calculation result."

The Examiner respectfully submits:

Based on claim 1 the gatekeeper (MGC) authenticates the gateway (MG) not the other way around "determining by the MGC whether the MG is legal according to the calculation result". Floryanzia discloses authenticating the Gateway to the Gatekeeper (Floryanzia column 3, lines 56-58). Furthermore, Floryanzia discloses "determining by the MGC whether the MG is legal according to the calculation result" (Floryanzia column 10, lines 1-43).

Applicant argues:

By contrast, Figs. 3A-3C in Floryanzia show the registration request (RRQ) 306 being sent from the gateway to the gatekeeper and an authentication server comparing results 324, not the gatekeeper (MGC), as claimed.

The Examiner respectfully submits:

The authentication server can be a RADIUS server but it is not necessarily one but is communicatively coupled which means it could be a software module, just as the applicant's authentication means is a software module (Floryanzia column 7, lines 27-55).

Applicant argues:

Floryanzia does not disclose the technical feature "setting a security data package on a network protocol" of claim 1.

The Examiner respectfully submits:

Floryanzia does disclose "setting a security data package on a network protocol" (Floryanzia column 3, lines 50-67 and column 4, lines 23-30 and lines 39-56).

Applicant argues:

Furthermore, based on the above discussion, Applicant respectfully submitted that it is inappropriate to align the gateway of Floryanzia with the MGC of claim 1 and to align the Gatekeeper of Floryanzia with the MG of claim 1. Even if it were necessary to align the corresponding entities, it would be appropriate for those skilled in the art that the gateway of Floryanzia should be aligned with the Media Gateway (MG) of claim 1 and the Gatekeeper of Floryanzia should be aligned with the Media Gateway Controller (MGC) of claim 1. In this case, none of the technical features "configuring a Media Gateway (MG) with an authentication key and setting a security data package on a network protocol, by a Media Gateway Controller (MGC); during a security authentication, sending, by the MGC, security authentication request data to the MG using the data package; receiving by the MGC a calculation result obtained by performing an encryption calculation on the request data using the authentication key by the MG" of claim 1 are disclosed by Floryanzia.

The Examiner respectfully submits:

Based on the functionality of the Floryanzia gateway and gatekeeper it is appropriate to align them in the manner the examiner aligned them and as such they do disclose the technical features "configuring a Media Gateway (MG) with an authentication key and setting a security data package on a network protocol, by a Media Gateway Controller (MGC) (Floryanzia column 3, lines 54-67); during a security authentication, sending, by the MGC, security authentication request data to the MG using the data package (Floryanzia column 4, lines 23-31); receiving by the MGC a calculation result obtained by performing an encryption calculation on the request data using the authentication key by the MG (Floryanzia column 10, lines 1-43)".

Applicant argues:

As discussed above, Applicant respectfully submits that claim 1 is not anticipated by Floryanzia. Claims 2-6 depend, directly or indirectly, from allowable claim 1 and thus include the allowable subject matter of claim 1 while adding or further defining elements. Therefore claims 2-6 are also not anticipated by Floryanzia.

The Examiner respectfully submits:

Based on the rejection of claim 1 above claims 2-6 still stand rejected.

Applicant argues:

Claims 2 and 3 were rejected under 35 U.S.C. §103(a) as being unpatentable over Floryanzia in view of U.S. Publication No. 20020120760 to Kimchi et al. (Kimchi). Kimchi fails to cure the deficiencies of Floryanzia that is discussed above with respect to claim 1. Dependent claims 2 and 3 include the technical features of claim 1 and, as such, are patentable over the combination of Floryanzia and Kimchi.

The Examiner respectfully submits:

Based on the rejection of claim 1 above claims 2 and 3 still stand rejected in view of Kimchi.

Therefore, based on the arguments above claims 1, 4, 5, and 6 are rejected under 35 USC 102(e) as being anticipated by US 6961857 (Floryanzia) and claims 2 and 3 are rejected under 35 USC 103(a) as being unpatentable over US 6961857 (Floryanzia) in view of US 20020120760 (Kimchi).